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COMMITTEE ON EDUCATION
March 1, 2005
LB 681, 314, 690, 380, 583

The Committee on Education met at 1:30 p.m. on Tuesday, March 1, 2005, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB 681, LB 314, LB 690, LB 380, and LB 583. Senators present: Ron Raikes, Chairperson; Dennis Byars, Vice Chairperson; Patrick Bourne; Gwen Howard; Gail Kopplin; Vickie McDonald; Ed Schrock; and Elaine Stuhr. Senators absent: None.

SENATOR RAIKES: Good afternoon. Welcome to this hearing of the Education Committee of the Nebraska Legislature. We're pleased you could be here today, a day on which we're going to hear five bills in the order posted on the outside of the hearing room, if you had a chance to look, in a, looks to me, nonnumerical, but I'm sure very logical order. Before we proceed with the hearings, I'll remind you that the committee consists of Senator Bourne from Omaha; Senator Gail Kopplin, Gretna; Senator Elaine Stuhr, Bradshaw. Our committee's legal counsel is Tammy Barry. I'm Ron Raikes, District 25. Our Vice Chair is Senator Dennis Byars from Beatrice, Nebraska; Senator Vickie McDonald, St. Paul; Senator Gwen Howard, Omaha; Senator Ed Schrock, Elm Creek; and our sometime committee clerk, LaRue Wunderlich. We will proceed as usual with an introduction, proponent testimony, opponent testimony, neutral testimony, followed by a close by the introducer. We will use our light system. That will provide three minutes for each testifier. So if you would honor that, we would much appreciate it. We'll give you actually a little warning with a red light when you reach the end of the three minutes, a yellow light when you get to the end of two minutes. Again, that is to try to honor the value of your time, as much as anything. If you do have a cell phone, please disable it however you see fit. And speaking of fit, maybe we're ready to introduce the first bill. Yes, ma'am, Senator Schimek to introduce LB 681.

LB 681

SENATOR SCHIMEK: (Exhibits 1-5) Thank you, Mr. Chairman and members of the Education Committee. It's a pleasure to be here today. It's the first time I've been to the Education Committee in quite a long time. You may think

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that's a good thing, Senator Raikes, but...

SENATOR RAIKES: Always, you're warmly received.

SENATOR SCHIMEK: Thank you. I'm here today...for the record, my name is DiAnna Schimek. I represent the 27th Legislative District and I'm here to introduce LB 681, the Physical Education in Schools Act. I've had a strong interest in the obesity epidemic that has swept the nation. In fact, I've been interested in what we do in the matter of health education in the schools for a long time. And I was approached earlier this year by representatives of the American Heart Association, who encouraged me to introduce legislation this year on battling the obesity epidemic. A small group of health professionals and instructors have provided support and helped to create LB 681. This bill is the product of genuine care and concern these individuals have for our children, and the expertise they hold on the promotion of a truly healthy lifestyle. LB 681 targets obesity and it does so at the most important time of a person's life, during the early years of development. The bill simply requires public school students to engage in a daily physical education program. For students K-6, this would be 150 minutes per week. For seventh and eighth graders, it would be 225 a week. And all public school districts would adopt the policy in accordance with this act, and all schools would be in compliance with the act by July 1, 2008. While many school districts may initially oppose this type of proposal because of time constraints or potential financial restraints, and I understand and appreciate that, it is important to keep in mind that this program would be beneficial to our students because it helps them discover the benefits to living a healthy life. Statistics show that people in Nebraska are not engaging in adequate amounts of physical activity. According to the Nebraska Health and Human Services System 2004 Report on cardiovascular disease, Nebraskans ranked 50 out of 51 states, which includes D.C., on the amounts of physical activity that they are getting. During the 2002-03 academic school year, one in every three Nebraska youth in grades K-12 were identified as either overweight or at risk of being overweight. And that's an astounding figure. Among Nebraska high school students in 2003, just one in every five, or 19 percent, engaged in a sufficient level of physical activity in its forms, including moderate,

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vigorous, and strengthening exercise. As you can see, there's a very real and urgent need for this bill, and LB 681 is a proposal that is long overdue. And I do have several handouts, if I could get a page; thank you. The first handout is a representation from the 17 other states that are considering or have enacted similar kinds of legislation. You can look through that at your leisure. You'll find there's a variety of approaches. Secondly, I have two other handouts that I'd also like the page to distribute that are a couple of articles on how physical education can address childhood obesity, and how physical education is linked to better academic performance--to better academic performance. And I want you to have a chance to look at those. Because of time constraints, I'm not going to go over them. Now, I do know that committee counsel is suggesting that maybe we have some...maybe there are some minor concerns with the bill. I'd be happy to work with counsel and have my staff work with counsel to clear up anything there. I also have an amendment that I'd like to submit to the committee for consideration, and that would simply take care of high school students, and then change the intent of the bill from K-8 to K-12. So I'll put that right here for you. And then the amendment also clarifies that we're only talking about public schools. We're not talking about private schools in this bill. That was never intended. And then finally, I have a wonderful editorial, a guest editorial, that was in the Lincoln Journal Star just this morning about physical education and why it's so important. And I find this astounding. It says in the article that only 16 percent of Nebraska schools offer physical education classes at the recommended amount of 150 minutes per week for elementary students. Only 16 percent of us. Only 12 percent of Nebraska schools offer the recommended amount of 225 minutes for middle and high school. So I didn't have any clue when I introduced this bill as to how many of our schools were doing it. I know my own school has some P.E. because I went and played badminton at their P.E. class over at Park Middle School recently, their celebrity match. And it was a lot of fun. The article also goes on to tell that today's physical education standards aren't exactly what they were when some of us were in school many years ago. I do understand that this bill isn't a cure-all for obesity, but I do think it's a step in the right direction. And I believe that students can be inspired to take on a healthy lifestyle and to focus on

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fitness, not only for when they are students, but throughout their lives. With that, Mr. Chairman, I'd be happy to try to answer any questions that you might have.

SENATOR RAIKES: Thank you, Senator. Celebrity match?

SENATOR SCHIMEK: Oh, it was...you can see how low they were sinking for celebrities.

SENATOR RAIKES: I wasn't...although I was not invited.

SENATOR SCHIMEK: No, you weren't. (Laugh)

SENATOR RAIKES: Questions for Senator Schimek? Senator Stuhr.

SENATOR STUHR: Yes, I'm glad that you offered the amendment to address the high school because, as I was looking through the bill, I noticed that it only went up to the eighth grade. So I think that is a good addition. Otherwise, thank you for introducing the bill.

SENATOR SCHIMEK: Well, thank you.

SENATOR RAIKES: Other questions? Senator, I'm trying to...is...looking at it as trying to land someplace between intent language and a mandate to provide programs,...

SENATOR SCHIMEK: Um-hum.

SENATOR RAIKES: ...how would you describe this?

SENATOR SCHIMEK: It is a call for a certain amount of hours of P.E. in the public schools. That part is a mandate. It doesn't say exactly what that curriculum would be. It doesn't say that perhaps half of the period would be spent in talking about healthy lifestyles, or whatever, and the other half might be engaged in physical activity. But it does require a certain number of hours, and it requires...

SENATOR RAIKES: So your intent would be the hours-per-week part is a mandate. The use of that time is covered by the intent language.

SENATOR SCHIMEK: Well, I would...yes, I guess that would be

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right.

SENATOR RAIKES: Okay.

SENATOR SCHIMEK: Now, there...the bill, the actual bill itself, we did not draft in my office. It actually came from all these groups behind me that were interested in this bill. And I would also think that that would be their intent, but you might wish to ask them, as well.

SENATOR RAIKES: Senator Stuhr and then Senator Kopplin.

SENATOR STUHR: Yes, another quick question. Do you know what the requirement, or is there a requirement right now for the public schools in the physical education area?

SENATOR SCHIMEK: Well, it's my understanding...well, no, I can't answer that question. All I can answer is that we're not meeting that minimum standard that the CDC recommends, only in 16 percent of our elementary schools and 12 percent of our high schools. So I don't think there's any mandate right now. But some schools, like the Lincoln Public Schools, are choosing to have some kind of a curriculum in their schools.

SENATOR STUHR: Okay. All right.

SENATOR SCHIMEK: But there are school officials here who might know better than I.

SENATOR RAIKES: Senator Kopplin.

SENATOR KOPPLIN: Just a couple of questions. I'm interested in your 9-12 amendment primarily. As I read this, it's basically 45 minutes per day, per student. It says instructional periods. Does that include after school athletic activities?

SENATOR SCHIMEK: No.

SENATOR KOPPLIN: So you would want a period for every person everyday.

SENATOR SCHIMEK: That is correct, that's the intent.

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SENATOR KOPPLIN: Thank you.

SENATOR RAIKES: Okay.

SENATOR SCHIMEK: And I'd also like to have resource, recess restored at the elementary level but I didn't take that up in this bill.

SENATOR RAIKES: Senator Schrock.

SENATOR SCHROCK: Senator Kopplin was getting at what I was going to ask, and I kind of came in late. But I've always thought it rather interesting that the requirement for everybody, even you're out for an athletic sport that requires a considerable amount of physical exertion, sometimes those athletes could use another library period. And so I sometimes wonder if we couldn't accommodate that because...

SENATOR SCHIMEK: I think actually, Senator Schrock, even though it isn't provided for in here, I think that 's a worthwhile suggestion. I do agree with you that for some of those athletes they're getting far more than the 45 minutes a day. And maybe there could be an exemption. At the same time there are other considerations to think about, like the instruction in the healthy lifestyles; I don't know.

SENATOR SCHROCK: This includes the instruction on healthy lifestyle?

SENATOR SCHIMEK: I could, yeah.

SENATOR RAIKES: Thank you, Senator. Are you going to stick around?

SENATOR SCHIMEK: I believe I will, for a little while at least. I probably will not wish to close, but I would like to hear some of the testimony.

SENATOR RAIKES: Okay.

SENATOR SCHIMEK: Thank you.

SENATOR RAIKES: We'll move to proponent testimony for LB 681. And how many proponents do we have planned? Okay,

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you're here toward the front, so please.

MARYBELL AVERY: (Exhibits 6 and 7) Thank you. I have some handouts. Good afternoon. My name is Marybell Avery. And I have some information about Overweight Among Nebraska Youth for you. And when he finishes with that, I have my remarks and a few other pieces of information. I have spent my entire 30-year career in physical education, the past 20 years here in Nebraska. I have taught physical education at all levels, kindergarten through college. And for the past 11 years, I have served as curriculum specialist for physical education for Lincoln Public Schools. But today I am here as a former member of the Nebraska Governor's Council on Health Promotion and Physical Fitness; also as a past president and a current board of directors member of the National Association for Sport and Physical Education, which is the national professional association for physical educators. So, hopefully, I can answer some of your questions about what quality physical education is, and what it is not. We believe that schools have a responsibility to provide high-quality physical education for all students on a daily basis. Quality physical education, as you've already heard, can impact the childhood obesity crisis and it also can contribute to academic achievement. LB 681 describes the three aspects of what quality physical education is: opportunity to learn, which has to do with the time requirement and other things, qualified teachers; meaningful content, which is the curriculum, the actual activities and the knowledges that are taught; and appropriate instruction. Those are the three areas that define what a quality physical education program is. Ten years ago, the national standards for physical education were published. I provided a brief handout for you from the National Association for Sport and Physical Education that lists those six national standards for physical education. They describe what a physically educated person should know and be able to do as the result of participating in a quality school physical education program. In the past five years, we've had support come from both educational and medical experts who recognize that school physical education is a critical part of the solution to reverse the current trend of physical inactivity. The National Association of State Boards of Education, the Centers for Disease Control and Prevention, and the American Academy of Pediatrics all support daily physical education in the schools. Here in

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Nebraska, the Governor's Council on Health Promotion and Physical Fitness has called for schools to provide daily physical education in its 2003 report to the Governor. Physical education is a program of instruction that provides students with the knowledge, skills, and confidence they need in order to lead physically active lives. There are many opportunities for students to be physically active that schools need to maximize. And you've already mentioned some of those: recess; before and after school activity programs; organized youth sports; interscholastic athletics; and other community programs also provide some opportunities for school-age children to be physically active. But, and this is my main point this afternoon, only school physical education programs are uniquely positioned to contribute to the obesity solution across gender, race, ethnicity, and socioeconomic status, because they provide...

SENATOR RAIKES: Your red light is on, but let me ask you, Mary...

MARYBELL AVERY: Thank you.

SENATOR RAIKES: So your position is that participation, for example in a sport, does not, should not replace physical training in the class, is that right?

MARYBELL AVERY: Correct. It should not replace physical education. It is not a program, a curricular program.

SENATOR RAIKES: Okay, okay.

MARYBELL AVERY: That's correct, yes. And if I could add in response to that, we know that children don't automatically learn motor skills, the basic skills that they need in order to participate in physical activity. They don't, they aren't taught these skills in athletics or in after school programs. They are taught them in school physical education programs.

SENATOR RAIKES: Okay. Other questions for...? Senator McDonald and then Senator Kopplin.

SENATOR McDONALD: In your years of working with physical education, have you seen a declining number of minutes that the students are participating? I can remember when I was

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in school, I mean everybody had P.E.

MARYBELL AVERY: Um-hum.

SENATOR McDONALD: And has that been taken away from them and replaced with other things, and why are we in a situation now that we didn't used to have?

MARYBELL AVERY: Right. My experience has been that gradually the amount of school time for physical education has eroded over the years, yes.

SENATOR McDONALD: So we have not taken a priority in that issue?

MARYBELL AVERY: I agree.

SENATOR McDONALD: Thank you.

SENATOR RAIKES: Senator Kopplin.

SENATOR KOPPLIN: I believe the bill calls for endorsed P.E. teachers...

MARYBELL AVERY: Yes.

SENATOR KOPPLIN: ...to provide all of these instructional periods which would have to require most schools to add a great many P.E. teachers. Are they available, and can the schools afford them?

MARYBELL AVERY: That's a very good point. Depending on the school district, they may need to hire more staff who are endorsed in physical education. There are institutions of higher education training those students. So, yes, I believe they are available.

SENATOR KOPPLIN: Okay.

SENATOR RAIKES: Senator Bourne.

SENATOR BOURNE: Thank you. Does this apply to the Catholic schools, as well; private schools?

MARYBELL AVERY: My understanding, as Senator Schimek said

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earlier, that the bill is for public schools.

SENATOR BOURNE: I missed her opening; I apologize. Thank you.

MARYBELL AVERY: That's okay. Um-hum.

SENATOR RAIKES: Senator Stuhr.

SENATOR STUHR: I'm sorry, did I miss...? Is there a minimum number of minutes that a school is required to offer?

MARYBELL AVERY: My understanding of the state of Nebraska is that in Rule 10, which is the rule for accreditation of schools, physical education must be offered. And at the elementary and middle school level, no time is required; just that it's offered. At the high school level, there's a certain amount that is designated. But, again, that's what the schools must provide, but it does not say students must take that amount.

SENATOR STUHR: Okay, thank you.

MARYBELL AVERY: Um-hum.

SENATOR RAIKES: Okay. Thank you very much, Mary.

MARYBELL AVERY: Thank you.

SENATOR RAIKES: Next proponent, LB 681.

JODI DELOZIER: (Exhibit 8) I also have a handout. Good afternoon, Senators.

SENATOR RAIKES: Welcome.

JODI DELOZIER: My name is Jodi Delozier, D-e-l-o-z-i-e-r, and I live at 2330 Ridge Road in Lincoln, Nebraska. I am represented by Senator Schimek's district. My support of LB 681 stems from my observations and involvement as a mother of two young children, a physician spouse, and president of the Lancaster County Medical Alliance. I have a fourth-grade daughter who attends Hill Elementary in Lincoln. The students at Hill participate in a physical

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education class once a week for 50 minutes. Every fifth week, they engage in two physical education classes. The national recommended guideline for elementary school physical education is 150 minutes per week. Public elementary schools in Lincoln average only 63 minutes a week. Grades six through eight should participate in 225 minutes per week, according to federal recommendations. Our LPS middle school students receive only 125 minutes per week. As a parent, I am shocked and saddened with this statistic. I find it difficult to believe that our educators do not understand the advantages of physical fitness, its direct relationship to success in school, and that it must be a part of our children's daily education. My daughter is fortunate because she also receives one morning recess and a second recess around lunch time. Many elementary schools in Lincoln have eliminated the morning recess altogether. And I do know of a few schools who have eliminated recess. If this were not enough, some teachers use the elimination of recess or the reduction of recess as a disciplinary tool. I don't understand how we can expect young, energetic children to sit through a seven-hour school day with only 15-20 minutes of playtime. It is no wonder children act out, constantly fidget during class instruction. Studies have shown that children learn better when exercise is a part of their daily life. It just makes sense. I believe that encouraging children to exercise, and educating them on how to stay physically fit and eat nutritiously, is just as important as reading and writing. With one in every three Nebraska students either at risk for being overweight or already overweight, some sort of action needs to be taken. Currently, there are no federal or state regulations mandating the duration or frequency of physical education. There's only recommendations. And even though the CDC recommends that all schools require physical ed for K-12 students, or although the CDC does recommend physical education for K-12 students on a daily basis. In Lincoln, each public elementary school is allowed to determine how much or how often a child receives P.E. And there is "mandation" of...there is legislation already in effect in eight states throughout the United States. Physicians in Lincoln are treating more and more overweight children. The obesity problem has reached epidemic proportions and the costs to society continue to rise. My husband, an emergency department physician, has treated a number of overweight children suffering from a variety of weight-related

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complaints, such as diabetes, chronic joint and back pain, high blood pressure, chest pain, and depression. Recently, he took care of a ten-year-old child who was complaining of chronic knee pain. The pain had become unbearable for this 215 pound youngster. Again, he was only ten. A colleague of his, a pediatrician in McCook, has also seen a severe rise in childhood obesity. She recently treated a 12-year-old weighing 193 pounds. The societal cost associated with the obesity are staggering. Approximately 93 billion dollars per year is spent on treating weight-related illnesses. Our children deserve an education which teaches not only the three R's, but also guidelines on good health and nutrition.

SENATOR RAIKES: Jodi, thank you for providing the written copy so we can finish your presentation on our own. I'm guessing that part of the reason that the reduction in time in P.E. classes in schools is because there are express needs that students need to get further ahead in math, they need to get further ahead in science, they need to get further ahead... How do you resolve the... If, for example, students had to stay in school longer in order to, each day in order to get this done, would you still suggest additional time for P.E.?

JODI DELOZIER: Yes, I would.

SENATOR RAIKES: Okay. I made that question too easy for you. (Laugh) Senator Schrock.

SENATOR SCHROCK: One of the things we hear about in the Legislature is local control. Have you talked to the Lincoln School Board about this?

JODI DELOZIER: No, and I believe that is on our list, our agenda, to confront the state board and also Lincoln Public School board.

SENATOR SCHROCK: But I know if we mandate this, we're going to hear about it, and not in a positive way. And I think part of the problem is what kids do when they're not in school. I hate to tell you...this might disillusion you, but I grew up without television and all of the games that go with it. And I had to walk to school half a mile.

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JODI DELOZIER: Uphill?

SENATOR SCHROCK: Uphill both ways. (Laugh) I think our lifestyles have changed a lot. And of course, we didn't, nobody knew what fast food was back then. You ate what Mom cooked or you ate it and went hungry. But, it's just an observation. But a lot of organized sports nowadays, even outside the schools, little league things, and so. But I sometimes think kids don't have the opportunity to play like they used to, and I don't know what you do about it.

JODI DELOZIER: Right. And I also think with the physical education, there's a lot of children who don't have the opportunity to do after-school sports for a variety of reasons. It's not only a weight-related issue; it teaches, you know, good sportsmanship, working together as a team, could help with better body image as they go through puberty.

SENATOR SCHROCK: But if we don't pass this bill, don't give up.

JODI DELOZIER: Oh, we won't.

SENATOR SCHROCK: Go see the Lincoln school board and tell them what you think, because I think that's where a lot of it begins. Doug Evans; particularly get on him, will you?

JODI DELOZIER: Okay.

SENATOR RAIKES: Any other questions? Thank you very much for being here.

JODI DELOZIER: Thank you.

SENATOR RAIKES: Next proponent, LB 681.

EMMA FRASER: (Exhibit 9) I also...well, I have copies of my testimony.

SENATOR RAIKES: Okay.

EMMA FRASER: Good afternoon. My name is Emma Fraser. I'm a fifth grader at Cavett Elementary in Lincoln, Nebraska. I am here today to ask for your support for LB 681. In my

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school, my favorite subject is P.E. And I don't like it just because my teacher is nice. In P.E., my school test-piloted golf. And now because of that, I'm interested and want to take lessons. In my classroom, I made a ballot and took a vote about this bill. I made up four questions to ask. The questions and results were: Question one, do you think we should have P.E. more than once a week? The results were, out of 23 kids who took the quiz or survey, all 23 said no. And this may seem like a bad thing, but before you say anything, question two was: Do you think we should have P.E. more than once a week? And all 23 said, yes, they wanted P.E. more than once a week. Question three was: Would you still want P.E. if we had to add more minutes to the school day? And this time, 20 said yes, they still wanted it, while three kids said they didn't. And the fourth question was more for my curiosity, and asked: Do you mind having more minutes, adding more minutes to the school day for P.E? Six said, yes, they minded, and 17 said, no, they didn't. The last thing I will bring up today is that kids are starting to think at my age that they are fat. And the ones who think they are fat, really aren't. And these teenagers who think they are fat, start to go on diets, and dieting at my age is bad because they don't get the food and nutrients they need. But if we added more P.E., maybe this wouldn't be a problem for the kids and teenagers of Nebraska. As Thomas Jefferson once said, exercise and recreation are as necessary as reading. I will say rather more necessary because health is worth more than learning. And I will leave you today saying that I hope you vote for LB 681 because the health of Nebraska's kids may be in your hands.

SENATOR RAIKES: Thank you, Emma. You make an impressive case there. Any questions? Research and testimony here. Senator Byars.

SENATOR BYARS: Great job. Keep it up.

SENATOR RAIKES: Okay, thank you, Emma, for being here today. Next proponent, LB 681.

CHRISTINA PERRY: (Exhibits 10-13) Good afternoon. I have a copy of my testimony and three handouts. My name is Christina Perry. I'm a faculty member at the University of Nebraska-Lincoln, in the department of nutrition and health

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sciences. I'm here representing the PE4Kids Coalition located in Lincoln/Lancaster County. I would like to present to you today research that links the quality of physical education to better health and academic achievement. A year ago today, the Centers for Disease Control released the results of a study. They concluded that poor diet and inactivity are close to overtaking cigarette smoking as the leading cause of preventable death. It was also stated that at this rate of prevalence, the current generation of children today will not live as long as their parents. We have heard today from Senator Schimek that the epidemic of obesity and overweight among children is not just a public health threat for other people in other states, but it's a problem right here in Nebraska. According to the Nebraska Health and Human Services, an estimated 106,000 Nebraska youth are either at-risk for overweight or are overweight. These numbers get worse, both nationally and in Nebraska, because as grade level increases, so does the overweight and physical inactivity behaviors of kids. Studies suggest that being overweight may affect students' readiness to learn because of the increased time away from the classroom due to related health problems. My position today is that schools can be influential partners in reversing these trends by requiring quality, daily physical education for all children. I present to you today three questions that...three frequently asked questions by decision makers such as yourself. They include: Can physical education reduce body mass index values, and therefore be effective in reducing incidents of childhood overweight? And the answer is yes. In a study conducted by the RAND Corporation, it was concluded that physical education programs played a significant role in containing and even preventing overweight in elementary school students, particular girls. Exposure to P.E. was positively correlated with changes in body mass index values. Further, the study projected that expanding existing P.E. instruction time nationwide to at least five hours per week for kindergarteners can reduce the prevalence of overweight among girls by 43 percent, and for those at risk for overweight by 60 percent. Question two: Can a quality physical education program promote physical activity in youth? The answer is yes. Studies have shown that quality physical education taught by qualified teachers increase the physical activity levels of children during the school day, as well as active living outside the school

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setting. And the last question: Does time spent in quality P.E. decrease learning in other areas? And the answer is clearly no. Evidence suggests that time spent in P.E. does not decrease learning in core subject areas. Youth who spend less time in other subjects to allow for regular P.E. have shown to do equally well or better academically. And I bring your attention to the California study, the results of this recent study by the California Department of Education, where fifth, seventh and ninth graders, their Stanford Achievement Tests were correlated with fitness gram tests. And the results showed that higher achievement was associated with higher levels of fitness at each of these three grade levels. And the greatest gains were made when students met three or more minimum fitness standards.

SENATOR RAIKES: Thank you, Christina. I promise you I will read the rest of your testimony, however I'm not going to promise you I'm going to read all the references you've attached. But I appreciate your thoroughness in preparing this testimony. Senator Byars has a question.

SENATOR BYARS: Thank you, Senator Raikes. Ms. Perry, I just, just for the record, did Emma write those three questions for you? (Laughter)

CHRISTINA PERRY: No, they did not.

SENATOR BYARS: Thank you very much.

CHRISTINA PERRY: Yes. Thank you.

SENATOR RAIKES: Any other questions? Thank you for being here today. Next proponent, LB 681?

MIKE MESSEROLE: Good afternoon. My name is Mike Messerole. I am an assistant professor at the University of Nebraska at Omaha in the School of Health, Physical Education, and Recreation. And my goal, or my duty there, is to prepare quality physical education teachers. Today, however, I'm here to speak about how this will impact students with disabilities. We've had some good testimony talking about the statistics, however, kids with disabilities are even at a greater risk than those without. We know that kids with disabilities have a higher body fat percentage; they are less physically active. And because of these two health

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risk factors, they are less likely to be physically active. This will lead to more inactivity, which means it leads to becoming sicker, which leads to becoming even less active. One thing that this will allow is for these children to receive quality physical education daily so they'll be able to work on the fundamental motor skills, which these fundamental skills lead to them being able to do more daily living tasks. Another concern is that these students, because of a variety of reasons, may feel uncomfortable or have low self-esteem when it comes to moving. By requiring daily physical education, they will get the skills. By getting the skills, it will improve their self-awareness; it'll improve their self-confidence; and, hopefully, improve the amount of physical activity that they perform in outside of physical education. It's really pretty simple for all groups involved. Increased physical education time will lead to improved motor skill performance, which is going to lead to improved self-confidence in performing these skills, which will lead to increase in physical activity. Thank you for your time.

SENATOR RAIKES: Thank you. Questions? Senator Byars has one.

SENATOR BYARS: Thank you, Senator Raikes. Does any of your curriculum deal specifically with training your teachers about dealing with individuals with disabilities and the variety of disabilities they are going to encounter? Does any of your curriculum deal with teaching them how?

MICHAEL MESSEROLE: Yes. We have, at the University of Nebraska at Omaha, we have two courses. One specifically deals with working with children in a physical activity setting. And we have a field experience associated with that where they are actually teaching, so they get the practical experience. Now, the downside is, there are so many disabilities to be covered in a three-hour course. So we train them. We have a six hours, that they have that, so they are getting some relevant information. But because of the varying degrees of severity within a disability, when they get into the field, they may experience some confusion. But we do have backups for those individuals, that they can contact us. I believe that Millard Public...well, I know Millard Public Schools do have an adapted physical education coordinator that all physical education teachers have access

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to, and he will come out and assess children and give them ideas for getting them moving and teaching them fundamental motor skills.

SENATOR BYARS: Would it be an impetus for you to expand your curriculum for people with disabilities if this Legislature assumes this obligation of legislation such as LB 521?

MICHAEL MESSEROLE: Very good question. We're actually in the process of reviewing our curriculum and that is one of our areas of concern. And we're looking at how to incorporate more of that into our curriculum. We have one course that's specifically associated with, it's called adapted physical education. But even in our method courses at the elementary level and our secondary method courses, we incorporate ways to involve kids with disabilities in those courses, as well. So they get it for about two and a half years, but there's really only one course, or one course in physical education, and then one course through the College of Education that they're required to take.

SENATOR BYARS: Appreciate that very much. Thank you.

SENATOR RAIKES: Senator Kopplin.

SENATOR KOPPLIN: You mentioned Millard, so I'm asking just for information here. During these P.E. instructional periods, do they have a separate adult or teacher for adaptive P.E. at the same time the regular class is in session? I guess I'm asking, do they put two people out there?

MICHAEL MESSEROLE: They put two people out there. At the elementary level, no. At the elementary level, the regular physical education teacher, in most schools, works with all the kids as a whole. It's very included. At the secondary level, there are some team-teaching going on so that there are two instructors at some of the high schools that will team teach. Some courses, or some schools, will have a pullout where the teacher will work with a small group of kids. Other schools have a total inclusion where the kids with nondisabilities are working hand-in-hand with the kids with disabilities. So it really depends on the school. But as far as taking up two physical education teachers' time, I

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don't know a school that's doing that right now.

SENATOR KOPPLIN: Okay, thank you.

SENATOR BYARS: Thank you, Senator Kopplin. Any other questions on the part of the committee? Thank you for your testimony. Next proponent on LB 681? Any other proponents then? Don't be bashful.

SANDY MEYERS: My name is Sandy Meyers, and I thank you for the opportunity to speak today. I'm a recreation professional for 35 years. I'm a member of state and national recreation associations. I'm the recreation manager for the city of Lincoln. And I've worked with this committee over time on fitness issues with kids and just the things that are common to both of us. I wanted to talk about anecdotal observational information that we as recreation professionals have. We have observed a shift, a change over time, with the kids who come to us. And it is the case now. It's the case about seven years ago. We had to actually start taking some very specific actions because of what we were observing. If you put balls in the gym or out in a playfield, the kids would kick them around or throw them around but it was not an organized play. They didn't...they lacked the basic sense of how to organize a game, what the skills were, how to play. And we needed to organize the activity for the kids so it was more productive playtime. And we had to backtrack and break skills down into the very most basic level. You know, in basketball it was just basic teaching how to dribble. It was very basic skills--strategy skills. One offensive strategy, one defensive strategy. That was all we could do at first. And we would work with the kids, and as they developed a little bit more skill, then we'd add another physical skill, a technical skill they needed to play the game. We'd add another strategic skill to play the game. We would help the kids understand more about how the team worked to play the game. But these kids weren't coming to us with these skills. Like in many years, when I started as a front-line person that I would observe, I could say, let's go play softball and kids knew what to do. They knew about bases and they knew about basic skills. The kids today really do not. And within our recreation department, we've done this where we actually took the skills and we broke them way down. And you can't believe how basic we had to go so that

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we could start working with the kids to build them back up. As the kids developed the skill, you could see the pleasure that they had; that they understood truly what to do with the ball and how to play the game and the strategies; how to think strategically to get on the winning side; how to play defensively and offensively. And we observed this over time with the kids. And we do this to this day. I mean, this is what we have to do because of the kids that we're working with and the skills they come to us. The reason I'm here is I just wanted to stress that we understand we're not educators. We do not have the training for the very technical skills of how to develop the kids' bodies and how to develop them. But we're doing what we have to do the programs that we have to do, the playgrounds, the supervised play, the day camp programs. So we're doing the piece of it that we can. But we're not the educators, and the kids are not coming to us with the skills that they need. They're lacking very basic skills to help their play be what it could be, to be productive and engaged. I guess that's all I wanted to say, is that that's an observation from the field dealing with the kids after they've left school, and they haven't gotten what they needed.

SENATOR BYARS: Thank you, Ms. Meyers. Any comments or questions from the committee? Thank you very much for your testimony.

SANDY MEYERS: Okay.

SENATOR BYARS: Any other proponents of LB 681? Anyone else in favor?

JOANNE OWENS-NAUSLAR: (Exhibits 14-16) I have goodies.

SENATOR BYARS: How many others are there to testify in favor? Okay, this will be the last proponent testifier. Welcome.

JOANNE OWENS-NAUSLAR: Good afternoon. Mr. Chairman, members of the Education Committee, my name is JoAnne Owens-Nauslar. And during my 35-year professional career in the field of health and physical education, I've lived and served 30 of those years in Nebraska. Now, you're looking at me, and, yes, I am older than dirt. But I would like you to know that I started all this when I was ten, okay? I've

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taught health and physical education at all levels, elementary through college, and served 19 years as the state director of health and physical education at the Nebraska Department of Education. I'm a former chair of the Nebraska Governor's Council on Health Promotion and Physical Fitness, dating back to the Kerrey administration. I serve on countless other boards, coalitions, and committees with the goal of improving the health and physical activity status of children and youth. I get to additionally volunteer for the American Heart Association on their "Go Red for Women," "Jump Rope for Heart," and "American Heart Walk" initiatives. As a past president of the National Association for Sport and Physical Education, and also the American Alliance for Health, Physical Education, Recreation, and Dance, I've traveled to all 50 states to promote the issues of health enhancement and physical activity education for children and youth. But I feel most honored to address this committee as you study the merits of LB 681. I currently serve as director of corporate and community relations for Walk4Life, Inc. That's located in Plainfield, Illinois, but I continue to reside and ranch in Lancaster County. You've heard or received testimony and factual information concerning our children and youth health status. You've heard about opportunities to learn, movement and brain function, physical education and school success, appropriate instruction, meaningful content, opportunities for all children, the ingredients of quality programs, assessment, and the list goes on. Attached to my testimony is a fact sheet entitled "Shape of Our Nation's Children." The information highlights facts from recent studies, including overweight among youth, consequences of physical inactivity, participation in physical activity by young people, their media habits, and participation in school physical education. The fact sheet includes the references for each fact cited. As we study the information about Nebraska's children compared to the national perspective, we must get moving. During my 19 years of public service to the Nebraska Department of Education, I witnessed the things that you have asked as questions today, and the frustration about time, money, and our expectations from schools. Yet, when we deemed it an issue a priority, we began to seek action solutions. I would submit to you that we have been woefully remiss in allowing physical education to decrease, and in some cases, disappear from the critical core day. LB 681 is an action solution. As a stepparent of nine

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children, 25 grandchildren, 11 great-grandchildren, my testimony today is about the future. Children and youth are 30 percent of the population and 100 percent of the future. We cannot ignore Emma. As I close, I'd like to submit to you written testimony also from the Nebraska Girl Scout Legislative Monitoring Network and the YMCAs of Nebraska. Quality school physical education addresses both immediate and future activity needs of children and will help us to prepare our children and youth for competition in a global and economic society. I ask you to remember: no deposit, no return. We must invest now if we have expectations on the other end.

SENATOR BYARS: Thank you, JoAnne. Any questions? Senator Kopplin.

SENATOR KOPPLIN: Yes. I just would like to know your interpretation, JoAnne, of what the instructional period is. When you say a 45-minute instructional period and you're dealing with 16-year-old girls, 30 minutes of that is getting ready and getting ready to get back out. (Laughter)

JOANNE OWENS-NAUSLAR: And that's where you need a great physical educator with credentials and certification, because, as Marybell and our standards would attest, we are adamant about time on-task. We would not ask for these time frames if we are not willing to hold our professionals accountable for time on-task quality instruction and assessment. And it is up to us to police our profession also. So that's a good question.

SENATOR KOPPLIN: So you're saying that's 45 minutes of activity or instruction, or whatever?

JOANNE OWENS-NAUSLAR: Time on-task, yes.

SENATOR KOPPLIN: Okay.

JOANNE OWENS-NAUSLAR: I mean, it should take you, even with a class of 25 to 30 kids, with a great time on-task management system, they come out and get a pedometer, a heart rate monitor, it's numbered, the kids are all in line, you take roll, that roll is on the door, you've spent 27 seconds accounting to the office about if all the children that are supposed to be there, are there, so.

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SENATOR BYARS: Thank you, JoAnne.

JOANNE OWENS-NAUSLAR: We could invite you to some great classes and show you that time on-task and method a minute kinds of things.

SENATOR BYARS: Any other questions? Thank you, JoAnne.

JOANNE OWENS-NAUSLAR: Thank you. The 2:45 is delayed until 4:04, so I need to leave and catch a flight to Chicago, so it's not that I'm not interested but I appreciate your courtesy.

SENATOR BYARS: Fly safely.

JOANNE OWENS-NAUSLAR: That's usually up to the pilot, but I'll do my part. (Laughter)

SENATOR BYARS: I'll bet you'll try to be in control. (Laugh) Any other proponents one last time? Anyone in opposition to LB 681? Anyone to testify neutral?

JOHN BONAIUTO: Could it just be both?

SENATOR BYARS: Sure. Whatever you want, Mr. Bonaiuto.

JOHN BONAIUTO: Senator Byars, members of the committee, John Bonaiuto, B-o-n-a-i-u-t-o, executive director of Nebraska Association of School Boards. And I was looking for every way that I could testify neutral on this bill, and the only reason I'm testifying is that, as I read it, there is a mandate that would require staffing and there's the time issue that is a concern, obviously. And as far as the testimony of the proponents, I don't disagree with a thing that has been said. Having higher academic standards, accountability, looking for higher student achievement, we put a tremendous amount of pressure on schools, the teachers, the administrators. And I know that teachers feel guilty taking time for P.E. because it's so important to have the students reading and doing math. And, you know, maybe if we tested less, had a little less mandated testing, that we'd have a little more time for P.E. But I think with the bills that we've seen, Senator Schimek is, and the proponents are making a point that boards have to pay

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attention to. And I strongly encourage the proponents to visit with the Lincoln school board, and I hope that other boards will have the same message. You know, the vending machine bill was a message. We're going to have to do some things differently. And we're going to have to pay attention and help students make better choices, work with parents. This is a national crisis that schools are going to have to wake up and get involved in. But we've got a time problem. It is, where do you put this in the school day, and where do you take the time from with all that schools are being required to do? And we have to figure that out. And then the approach, we hate to see curriculum mandated in statute, and so that, you know, I would just make that comment. With that, I will end my testimony and appreciate your patience.

SENATOR BYARS: Thank you, Mr. Bonaiuto. Any comments of Mr. Bonaiuto? You put on your testifier sheet that you were in favor, in opposition, and neutral, correct?

JOHN BONAIUTO: I did and I appreciate that, Senator. (Laugh)

SENATOR BYARS: Thank you very much. Anyone else in favor, neutral, opposed? Any other neutral testimony? If not, Senator Schimek, do you care to close?

SENATOR SCHIMEK: Yes, thank you, Senator Byars, members of the committee. I said I wasn't going to close, but after having heard the testimony, I'd like to thank all those who came and gave such excellent testimony. I do think this is a real problem. I do think that we need to not only address it, but address some of the the issues that John is talking about regarding the testing and regarding...maybe we need to make the school day longer. I just read an article recently that talked about all the other nations in the world that have longer school days than we do. You know, maybe it is time to think about that. But I very much appreciate all your questions and all your attentiveness to this issue because I think it is an important issue.

SENATOR BYARS: Thank you, Senator Schimek.

SENATOR SCHIMEK: You're welcome.

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LB 681, 314

SENATOR BYARS: Appreciate your introduction of the bill. We'll now go to Senator Howard and LB 314. You will note there will be senators going in and out; please don't feel it's any disrespect to any of you. We have bills up in other committees that we are introducing, and so please bear with us. Senator Howard, welcome to the Education Committee.

LB 314

SENATOR HOWARD: Thank you. It's certainly a pleasure to be here. And I'm sorry that Emma is leaving; I was hoping she'd be interested in this bill.

SENATOR BYARS: She's good.

SENATOR HOWARD: Yes, she is. Yes, she is. Senator Raikes and members of the Education Committee, I'm Senator Gwen Howard, and I represent the 9th District. I'm here today to introduce LB 314. This is a fairly simple bill. It designates the first week of March as Nebraska Heritage Week. This would be an easy extension of the annual celebration of Nebraska's statehood on March 1, which actually is today. Nebraska is blessed to have a vast number of cultural heritages from which we have all descended. Our ancestors who built this state came from all around the world to settle in Nebraska. Throughout all parts of the state, we can see evidence of these cultural traditions. In my hometown of Omaha, you can find cultural traditions from Italy, Poland, Mexico, the Czech Republic, Greece, Romania, Ireland, England, which is my heritage, Germany, Sweden, Lithuania, El Salvador, Honduras, and the Ukraine, as well as wonderful African American and Native American traditions. Throughout Nebraska we can see how proud communities are about their cultural heritage, whether it is the Czechs in Wilbur, the Danish in Blair, or the Swedes in Oakland and Stromsburg. By establishing Nebraska Heritage Week, we give schools and communities the opportunity to celebrate our cultural heritage. Schools and communities can plan events to celebrate and display their traditions. Teachers can plan lessons around this theme and encourage students to share their family's cultural heritage with their teachers, fellow students, and the community at large. This could be done through such diverse things as

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traditional crafts, music, dancing, stories, clothing, and traditional foods. Students would be able to get hands-on learning about their friends and neighbors. Students also would be encouraged to explore their own family history. It also presents an opportunity for students in one part of the state to learn about students in another part, through long-distance cooperative learning. While we all come from different backgrounds and cultural traditions, at the end of the day we are all Nebraskans. Nebraska Heritage Week is an excellent way for all of us to unite together to celebrate our diversity. I ask that you please give LB 314 favorable consideration. Thank you.

SENATOR BYARS: Thank you, Senator Howard. Any questions or comments from the committee for Senator Howard? Thank you very much.

SENATOR HOWARD: Well, good. I think we should do this right after P.E., after people have exercised. Thank you.

SENATOR BYARS: Proponents for LB 314. Welcome.

NANCY KRATKY: Thank you. Good afternoon. I'm Nancy Kratky, 1204 North 101st Circle. I'm a retired teacher and currently a member of the Omaha Public School Board. I'm very pleased to be here today, to testify...

SENATOR BYARS: Ms. Kratky, for the record could you spell your last name please, so that we have it on record?

NANCY KRATKY: Yes, K-r-a-t-k-y.

SENATOR BYARS: Thank you.

NANCY KRATKY: And it's Czech. In 1993, while teaching my third graders, I became increasingly aware of their lack of knowledge regarding their own heritage. We were doing a good job of teaching multicultural and ethnic education, however we were not including each student's heritage. Through discussion and joint efforts with OEA and NSEA, Nebraska Heritage Week was proclaimed in 1994, with the intent that this proclamation would be renewed annually. This did not occur for various reasons, and now we have a focus before us with Nebraska Heritage Week, within the confines of Nebraska Statehood Day, and this will ensure the

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continuance of student and community awareness and respect and appreciation for the many contributions of all Nebraskans. So I want to thank you.

SENATOR BYARS: Thank you very much for your testimony. Any questions? Thank you. Next proponent? Glad to have you.

CAROLYN GRICE: Thank you. Good afternoon. My name is Carolyn Grice and I'm a Safe, Secure, Disciplined Schools facilitator for the Omaha Public Schools, and in my other life I'm an officer for the Nebraska State Education Association. So you're wondering why would somebody that's a Safe, Secure, Disciplined Schools facilitator care about heritage? I happened to be president of the Omaha Education Association when this issue first came up in 1990-something. We were pleased with that, but we also wanted to look at celebrating our differences, and that does begin in school. You can make my job a lot easier if we're all working together and appreciating the differences in the culture and all those other things that come in with managing a classroom. Having schools infuse how to celebrate, as opposed to telling them what to do, and when it fits in with our concept of local control, is a lot easier than saying you have to do it at a certain time. But we're sort of excited about this because it is in conjunction with statehood, with the Nebraska statehood. There are lots of things for us to be proud of, and because we have a lot of activities that we can infuse into this, in conjunction with just the basic skills of understanding how to get along with people that are different than we are. We're very excited about this. And you don't have to wait until fourth grade to learn about Nebraska statehood. So this is what makes us great. We support this, we as in NSEA support this, and would appreciate your support. Thank you.

SENATOR BYARS: Thank you, Ms. Grice. Questions? Thank you very much. Proponents? Any other proponents of the bill?

JOHN BONAIUTO: Mr. Chair and members of the committee, John Bonaiuto, B-o-n-a-i-u-t-o, executive director of Nebraska Association of School Boards. I'm just tickled to be a proponent of a bill and not being the angel of death on all bills, but I think it's great to have an opportunity to have students learn about their heritage and celebrate their differences, so this is a good idea, and I appreciate

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LB 314, 690

Senator Howard introducing it. Thank you.

SENATOR BYARS: Thank you, John. Any questions? Any other proponents? Anyone in opposition to LB 314? Anyone neutral? Seeing no one, would you care to close, Senator Howard?

SENATOR HOWARD: Certainly, sir. Though I am heart-warmed. Thank you so much for giving me the opportunity to bring this bill to you. It's a lovely bill and I think it would be well to advance this. And I thank you for your time.

SENATOR BYARS: Thank you, Senator Howard. Any questions? Thank you. This will conclude the hearing on LB 314. Senator Stuhr to introduce LB 690. Welcome, Senator Stuhr.

LB 690

SENATOR STUHR: (Exhibits 17-19) Thank you, Senator Byars and members of the Education Committee. For the record, my name is Elaine Stuhr, S-t-u-h-r, and I represent the 24th Legislative District. I'm here today to introduce LB 690, which would create the Career Education Partnership Act. And I would just like to share with you what is Nebraska Career Education, and you'll find the definition in the little folder that all of you should have received. It has a long history of preparing students for the workplace and for life. And formerly it was called a career and technical education, and I sort of have a passion for this area, as many of you know. And in former years it was called vocational education. And what these courses do are provide equitable opportunities for all students to develop skills that they need to learn, through career development, while meeting academic standards; to earn, as productive citizens in a global society; and to live as contributing members of their communities. And some of the reasons that I did introduce this bill this year, that I really believe that all students in Nebraska should have equitable opportunities to obtain knowledge and skills to meet the academic, civic, and economic demands of the twenty-first century, and that schools do need resources. And we are finding that many schools, these are some of the first classes to be cut and courses to be cut because of limited budgets. We believe that it is necessary that these

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programs do prepare people for the workplace, for their community, and also for life. Also, this bill was actually, the idea was brought to me by one of the principals in a school, who said that since they had been having to cut some of their programs, that they were seeing many students even wanting to quit high school, and that they felt that if there were some more opportunities that these high-risk students would maybe have more of a desire to stay in school. So actually what the bill does, it provides some grants for support to continue the career educational programs. Such grants would enable the school districts to sustain the programs that offer career education opportunities, and these opportunities then would help develop personal skills in young people, enabling them to complete high school, to seek higher education opportunities, to find jobs and remain in their communities. What this act would do, would permit the State Department of Education to establish and administer a grant process, and it would have to be a collaborative partnership between two or more schools, and also then, they would have to be collaborating with a service unit, with a community college, or an advisory group, and that advisory group would be...and there's a definition in the bill which could include an economic development group, a business group, or some local group. Also then, the money, the grant money could be used in a minimum of two of the following areas, and you will find that in the bill, assisting schools in developing academic, technical competencies and basic work skill foundation; assist schools in developing curriculum; assist schools in employing certified teachers to provide course instruction; assist schools in providing professional development for the certified teachers; and assist schools in purchasing supplies necessary for a program delivery. The grants would not exceed \$75,000 per collaborative project. Then they would have two years to use that amount. And no applicant should receive funding for more than one project at a time. So I would be happy to answer any questions, and hope that you will look favorably upon moving this bill forward.

SENATOR RAIKES: Thank you, Senator Stuhr. Career education; that's a new area for you, isn't it?

SENATOR STUHR: Yes. I know you haven't heard of it before. And I do have also some letters of support that all of you

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have received, and hope to be placed in the record. Thank you.

SENATOR RAIKES: Okay. Any questions for Senator Stuhr? Okay, Senator, we'll move to proponents, LB 690?

RICHARD KATT: (Exhibit 20) Good afternoon. My name is Richard Katt, K-a-t-t. I'm the state director for Nebraska Career Education with the Nebraska Department of Education. I'm here to testify on behalf of the Nebraska Department of Education in support for LB 690. Three years ago, the Department of Education embarked on a journey to rethink career education in Nebraska schools. We started with a Creating the Preferred Future Conference, attended by over 200 school administrators, teachers, policymakers, business and industry representatives, parents and taxpayers. And the work of that conference is now taking shape in our schools. LB 690 can help with the implementation of that vision. As the senator referenced, career education has always been anchored in the development of knowledge and skills needed for success in a career. It provides the personal and social development needed through our extended learning opportunities, such as workplace learning, participation in student organizations such as FFA, FCCLA, FBLA, DECA, HOSA, and SkillsUSA. These student organizations create the relationships needed between students and instructors to keep students engaged in school. We recognize that for our state's economy to grow, Nebraska needs an educated and competent work force. This new vision for career education has been created in partnership with the Nebraska Department of Labor and the Department of Economic Development. It is anchored on the following principles: academic attainment of all students, supported by the reinforcement of academics in career education; rigorous and relevant learning that connects content to the real world; career exploration and development for all students, including the development of an individual career education plan; extended learning opportunities outside the normal classroom to make instruction more relevant; and the development of partnerships for delivery and postsecondary transitions. The new vision is further described in your booklet, the "Introduction of Career Education." On page 3, you can see what we are calling the career field chart. This chart utilizes the 16 career clusters that were developed by the U.S. Department of Education that

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represents a different look to the design of career education. The new model has been received; it's been discussed, researched, and is now being implemented. LB 690 will provide the support and the fiscal resources to assist schools in working together to create quality education; in particular, to assist schools that want to collaborate to implement the new model of career education; to help schools look at alternative delivery of career education classes, such as distance learning or Web-based instruction provided by our community colleges; to help in the development of dual credit courses; and to encourage innovation in schools to look at how they could collaborate with each other and with community colleges to provide career education, and then create models of excellence and partnerships that other schools can replicate. We recognize the demands on the budget of our great state. The priorities are many and sometimes the resources never stretch far enough. We view LB 690 as an investment in innovation in Nebraska schools, an opportunity for schools in an era of tight budgets to think differently and to work together to provide meaningful career education. Thank you.

SENATOR RAIKES: Thank you, Richard. Questions? You mentioned a new model for career education. Correct me, but I seem to be hearing from professional educators that when you're talking about a high school education, that really whether you're headed for a college program or a work career right after high school, that really you ought to have the college prep curriculum either way.

RICHARD KATT: Right. And the new model focuses on that, and that's what I referenced on page 3, in here, that shows the solid foundation of academic and technical skills. We believe every student should leave high school prepared for postsecondary education. Whether they choose to go that route or not, they need to be prepared for success in postsecondary education. This model also doesn't focus as much on specific occupations as it does on what we're calling career fields in the career clusters, which is a direction. So they might be interested in health sciences, as opposed to specifically, at the high school level, thinking about being a physician. So it's a broadening of our curriculum to try to include all of the developing career areas.

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SENATOR RAIKES: Okay. Thank you. Any other questions?
Thank you.

RICHARD KATT: Thank you.

SENATOR RAIKES: Other proponents, LB 690?

TOM VICKERS: (Exhibit 21) Senator Raikes, members of the Education Committee, for the record my name is Tom Vickers, V-i-c-k-e-r-s, here today representing the Nebraska Community College Association. Dennis Baack has sent a letter which is being distributed to you. Dennis is at his annual meeting today, so you're stuck with me instead. You can read the letter yourself, but I just want to go on record and to thank Senator Stuhr for her tenacity in this area. I go back to where it was still technical education, as opposed to career education. There's been a lot of changes in this area, and the question you were just raising, Senator Raikes, one of the things that we're discovering in the community colleges is that even to be an auto mechanic, for example, you have to have a lot of computer skills, which means you have to have a lot of training that we wouldn't have thought of years ago as part of a career or a technical vocational training, if you will. We do have a number of shared programs going on, right now, with different high schools in the state, and the community colleges stand ready to help in this area. With that, I'd be happy to answer any questions.

SENATOR RAIKES: Okay. Thank you, Tom. Questions? Senator Schrock has got one.

SENATOR SCHROCK: This just popped up in my mind. Do the community colleges teach ag commodity marketing classes?

TOM VICKERS: I'm sure they do. I can't imagine they wouldn't. I don't...I know they do have some agricultural programs, and I'm assuming that they would. I couldn't tell for sure, but I could find out for you.

SENATOR SCHROCK: All right.

SENATOR RAIKES: Anything else? Thank you, Tom. Other proponents, LB 690?

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JOHN BONAIUTO: Senator Raikes, members of the committee, John Bonaiuto, B-o-n-a-i-u-t-o, executive director of the Nebraska Association of School Boards; support Senator Stuhr's work in this area, and I think this is really a good approach, in that it provides grants for students, and the resources necessary to fund these grants would be money that would not be built into the base for schools. And I understand how important that is, and so this would be funding that would be done on possibly a limited basis, and might be looked upon a little more favorably, hopefully, for that fiscal note in Appropriation. Thank you.

SENATOR RAIKES: Thank you, John. Questions? This requires two or more schools districts. Would that be a...how could you see districts going together for a total amount of \$75,000 into this area?

JOHN BONAIUTO: See, I would think that maybe that something like this could be coordinated with districts that work through an ESU, and that maybe the educational service units could help districts organize and coordinate something where they could tie into this approach.

SENATOR RAIKES: Okay.

JOHN BONAIUTO: Thank you.

SENATOR RAIKES: Thank you, John. Other proponents, LB 690? Do we have any other proponents? Come on up, please, and get in the on-deck circle here. Yes, sir.

JEFF SCHELLPEPER: My name is Jeff Schellpeper, S-c-h-e-l-l-p-e-p-e-r, and I'm a 25-year veteran of teaching high school agricultural education at Raymond Central Schools, just north of town. And I'm able to make it here because our school is hosting a district speech contest, and school was out early, so I thought I could come down and share my thoughts on LB 690. I'm also a past president of the Nebraska Agriculture Educators Association; I was president last year. I'm also on the Governor's Task Force for Agriculture Education. So my expertise is more on the agriculture education side of career education. I support, of course, LB 690. And career education is an expensive program in our schools. The equipment, facilities that we use, is more than just a text book; it's one of our most

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expensive programs in our schools. And there is currently no state funding for my program or career education programs from the state directly to our career education programs, and in some other states around us do have that support directly to the programs. Career education is training tomorrow's work force; it's important. And the cost to educate these students, because of the cost of the equipment and materials and supplies is going up, because of the cost of that, career education is going up. We need up-to-date facilities, we need up-to-date equipment and curriculum to be successful. And recently, because of legislation, we also have not been able to charge any more lab fees, and that's something that my principal is (inaudible) it's not, can't do that anymore. That's taboo to charge lab fees, now, and we used to always do that, so that's going to help some of the rise in costs, and now we can't do that. So that's also something that's a part of this puzzle. And recently, the USDA has just announced that in the next five years there's a strong support and a strong need, a continued need for students in agriculture. So, because of those reasons, I think LB 690 would be good for the state of Nebraska. Some programs that I could think that some ways it would help our programs, is programs could improve the facilities in their laboratory, whether it was mechanics or it's horticulture, the greenhouse; improving curriculum, especially the technology; opportunities for teachers to travel and to see programs in other states and how other schools are doing and improving in their programs. For teachers, like myself, to gain professional development, especially in the summer time, would be a way for us to use these funds. The lab facilities, and we must make sure those lab facilities are safe and that they're effective, so we've got to continue to work on that, and that costs money. Things like plasma cutters and computers and tools that we need for our facilities are expensive. So to conclude, career education programs are an excellent way for us to apply our core subjects, and many of us are a...I'm endorsed in science teaching...and so it's an excellent way for us to apply those subjects in a real life situation, like commodity marketing. And too many students are graduating from our schools, not knowing how to do anything, and they may have good grades in math and English, but can they do anything? And I challenge that this bill would help that. And what I'm dealing with is, in Nebraska, there are about 130 schools that offer...

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SENATOR RAIKES: You faked me out with the in conclusion.

JEFF SCHELLPEPER: I'm sorry, okay. I'm finished...just there's 130 schools, 6,000 FFA members, and we support this. It would help ag education. Thank you.

SENATOR RAIKES: Senator Schrock.

SENATOR SCHROCK: Is Fay your mother?

JEFF SCHELLPEPER: Yes.

SENATOR SCHROCK: Greet her from a few of us that have been around a while, would you please?

JEFF SCHELLPEPER: Thank you. Any more questions?

SENATOR RAIKES: Thank you, Jeff. Thank you. Other proponents, LB 690?

PATRICIA CRISLER: (Exhibit 22) Senator Raikes and members of the Education Committee, my name is Patricia Crisler, C-r-i-s-l-e-r. I'm the director of OJC, which stands for Opportunities, Jobs, Careers, at Metropolitan Community College. OJC is a coalition of businesses and educational institutions in the greater Omaha area. Our mission is to build partnerships between business and education, to support the career development of today's students and tomorrow's work force. The OJC partnership includes over 250 active business partners, all of the public school districts in the Omaha area, Ashland-Greenwood, Fremont Bergan, and Fremont Public Schools, together serving over 100,000 students. And I would like to focus on the partnership components of this bill. We know that students who have a sense of their future direction tend to be more engaged in school and reach their goals. In fact, researchers have recently concluded that informed and considered career decisions are linked to improved educational achievement, attainment, and efficiency. Students who make informed and considered career decisions are more likely to graduate from high school and to succeed in postsecondary education. Students who've been exposed to a broad array of career opportunities and who can see where their talents and aspirations can take them, are more likely

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to enter the work force successfully after they complete their education. So I'd like to make three points about the importance of the partnership components to our schools and to our communities. First, partnerships like this build community connections. Students who participate in meaningful career learning experiences in local businesses are more likely to stay in the community. Traditionally, one of our state's chief economic development assets has been the quality of our work force. However, experts tell us the future may hold significant worker shortages and increasing gaps between worker skills and job requirements. The Career Education Partnership Act would help communities engage their youth so that they get the most out of their education and are more likely to remain in the community to work or start new businesses. Second, partnerships allow schools to leverage finite resources. When schools and communities are focused on common career education goals, they share their resources. The Fremont area school-to-career partnership, for example, supports one full-time staff person through financial support--a third coming from the schools, a third coming from the community college, and another third coming from local business partners. And because of those commitments, about 400 Fremont area students participate in nine-week internships each year. Last, partnerships provide a catalyst for innovation. As you know, schools are focusing intensively on meeting state standards and the requirements of No Child Left Behind. And there's not a lot of room left in a day for innovations and pilot projects. But meanwhile, students continue to ask the question of, why do we need to learn this stuff? So the presence of an external partnership helps schools answer that question with real hands-on examples from local businesses, without taking away from their important work of improving student academic achievement. Through the Career Education Partnership Act, more partnerships like OJC can be developed across the state, and existing partnerships would be infused with additional resources to build on their strong foundations. Students will have more opportunities to build their skills and explore the world of work, which in turn brings new relevance to their schoolwork. Partnerships are not only good for our kids, they're good for our communities. Thank you.

SENATOR RAIKES: Okay. I'm told if you need more than three

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minutes, if you slip LaRue a couple of bucks, that three can stretch into four, but I couldn't verify that.

PATRICIA CRISLER: Thank you.

SENATOR RAIKES: Questions for Patricia? This is an ongoing organization, OJC, you work now with high schools?

PATRICIA CRISLER: We work with schools, K-12 school districts and postsecondary institutions, so from kindergarten on up.

SENATOR RAIKES: Okay. And how would you see this proposal impacting your organization?

PATRICIA CRISLER: Well, personally, if we can create more partnerships like ours around the state, I would be thrilled. If it were to support our organization individually, we would work with our partnering school districts, look at the business needs in the community, look at the schools' needs, and find mutual areas of need, and focus our attentions in partnerships that way. Specifically, for example, we might be able to reinstate a program that we've had to discontinue because of lack of funding, which is providing educator internships during the summer. And that has been an incredibly successful program that allows teachers to go out and see the skills and the experiences that are necessary for the future work force, and to be able to bring that back to the classroom. And then we, in turn, share their experiences through lesson plans on our database of lesson plans that we share with the entire state, so a good bang for the buck.

SENATOR RAIKES: Thank you. Thank you for your testimony. Additional proponents, LB 690?

JIM ROSE: Good afternoon. My name is Jim Rose. I am the senior high principal at Fillmore Central Public Schools, and I want to thank Senator Stuhr, because it was my idea, so to speak, that started the process. We have had a number of programs throughout the last four or five years, since Fillmore Central was a consolidated district. Our consolidation took place between Geneva and Fairmont in a situation that allowed us to go ahead and merge to offer a wonderful program for our students. At that point in time,

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in the year of 1999-2000, we had 58 FTE. We currently have, at this year, 44; we have dropped 44 staff members. Many of those offerings that have helped students stay on task, in taking the four years of English, in taking the three maths that we require, in taking the three sciences that we require, in earning the 250 credits that they need for graduation, has helped those students stay on task because they've had industrial tech classes, voc ag classes, family consumer science classes, classes of art, those types of things. However, because of the number of budget cuts that we have had to deal with in the past four or five years, we've gone from a school that has roughly been between 600 and 650 students, K-12, a third largest school district in the state, among the third largest in the state, we've gone ahead and we've dropped a lot of those programs because we don't have offerings or the funding to go ahead and take care of that. We have looked at a variety of different things. One of the things that we've looked at is LB 690 being something that can help us do something like that. And Senator Raikes, you mentioned about how would a partnership look like that. As of right now, the last two Sundays, we've advertised for a half-time ag person in our district, as well as a half-time ag person at McCool Junction. We've also shared talks with Bruning-Davenport and with Shickley. There are things that we're looking to do next year that will not only help us with the ag offerings that will bring a charter membership jointly with Fillmore Central and McCool Junction, but also with neighboring districts, so we've looked at that. One of the things that we continually look at, because of No Child Left Behind, an average AYP in dealing with dropout rates, and with the year 2013 looming very closely, where we're supposed to educate 100 percent of every student, we need these types of offerings to help those students stay on task and stay within our district and enjoy a successful career as far as a student being prepared.

SENATOR RAIKES: Okay, thank you, Jim. Questions? You then would use this probably to share staff people with other...

JIM ROSE: We would share staff funding, as far as paying for a staff person, supplies, much like what the gentleman from Raymond Central mentioned. It would be one of those things that we would go ahead and be able to continue a program because of some of the cuts that we've occurred over

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the past few years.

SENATOR RAIKES: In an earlier conversation I think I remember having with you, I thought you were talking about possibly developing a facility, a centrally located facility, that could, among several districts, that could provide this sort of course work. Was that something you were thinking about, or not?

JIM ROSE: Well, at one time we talked about other school districts may not have an ag lab, per se; they do not have the equipment. And instead of going ahead and having each district purchase their own equipment, because we already have many of the pieces in the puzzle, as far as that is concerned, they may offer more of a book-learning, classroom type situation, at their site, and we would offer more of a lab setting, where students could come in. Seventy-five thousand dollars, over two years, would not purchase a lot of equipment. However, if a school district like us has the equipment already in place, that would allow us to go ahead and do some other things, bring in other districts without them having the expenditures of equipment and the construction of a lab.

SENATOR RAIKES: Okay. Thank you. Thanks for being here.

SENATOR SCHROCK: Good to see you, Jim.

JIM ROSE: Good seeing you.

SENATOR RAIKES: Next proponent, LB 690.

RICHARD CAMPBELL: (Exhibit 23) Chairman Raikes and members of the Education Committee, my name is Richard Campbell, spelled like on the soup can, or C-a-m-p-b-e-l-l. I'm the school career coordinator for Beatrice Public Schools, and I wish to speak in support of LB 690. As you know, Beatrice is located in Gage County, and we consider it to be a progressive school district with high standards. This Career Education Partnership Act that's being proposed by Senator Stuhr would provide us the opportunity to obtain resources for things like motivating students to pursue careers in demand. We have a demand for healthcare workers in our immediate area, we have a demand for welders and other skilled craft workers and apprentices. We have

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training, but we would like to continue to offer that training and enhance that training so that the curriculum is more aligned with industry-based standards. It would allow us, also, to partner with other educational entities to provide joint activities that neither of the districts could afford by themselves. So partnering, as has been said by other testimony proponents, is a positive aspect of this particular bill. We would also see it as an opportunity to articulate our coursework and instruction with the postsecondary institutions. We have a campus, a Southeast Community College in our area, and we're already doing some things, but it would offer us to enhance those opportunities. The opportunity that would present this bill also would help our teachers to enhance their skills, again, along with industry changes that have been made recently and the technological changes that industry are making. We hope to enhance and develop the curriculum and instruction that is focused around the new three R's--the rigor, the relevance, and the relationships--that came out in the most recent summit for high schools. And along with that, we would be able to add the data that would be necessary for accountability for our systems and evaluate that and use that data for planning and addressing the needs of our district and those that we would partner with. So I would basically urge your support of LB 690 and the creation of the Career Education Partnership Act.

SENATOR RAIKES: Okay. Thank you very much. Senator Byars.

SENATOR BYARS: Thank you, Senator Raikes. I would just remind everyone that Mr. Campbell is from the District 15 school district, which is the "Caring and Sharing" school district, correct, Mr. Campbell?

RICHARD CAMPBELL: Thank you.

SENATOR RAIKES: We wish you were better represented in the Legislature, but...

RICHARD CAMPBELL: I'm glad that Senator Byars came back before I testified, because I knew he stepped out of the room there for a while.

SENATOR RAIKES: I see. Thank you. Any other proponents, LB 690?

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JOSHUA GERMER: Hi. My name is Josh Germer, and I'm from Diller, Nebraska, which is right by Beatrice actually. I can't talk about the specifics of LB 690, but rather I'm going to talk in support of vocational education. Both of my parents have taught vocational education. My mother was a FCS teacher, also was a home ec teacher, and my dad was an old ag teacher who then worked for the University of Nebraska as an extension agent, advising farmers. My mother works now for a welfare-to-work program through the University of Nebraska, which is "Building Nebraska Families." And the problems that she runs into when working with people from welfare is that they don't know how to budget; they don't know how to interview or do etiquette in interviews; they don't know how to set up diets for their children. So it's perfect that we were talking about obesity earlier, because it pertains very much to what are taught in FCS classes. For instance, my mom has this one client who went through training to be a nurse, so she was a smart woman, she got through nursing school, two years, had four kids, and she got through, but she couldn't hold a job because she didn't know how to interact with people at work. So we paid, as a state, or I don't know if the state paid or federal paid through grants for her to go to college, but it was for nothing because she can't hold a job. And then she has to take care of her kids; well, she doesn't know how to give them good meals, where to send them to day care. And when it comes to shop classes, I think it's excellent to look at medium-sized towns which rely so heavily on industrial companies, such as Beatrice that relies on XMark or Husqvarna. We need to provide workers that are quality so these businesses will come to these towns, and if we want rural economic development this is a great way to keep quality workers in our cities to bring businesses. So I just like to talk about the quality of vocational education.

SENATOR RAIKES: Okay. Thank you, Josh. Questions for Josh? Senator.

SENATOR BYARS: Also obviously comes from the "Caring and Sharing District."

SENATOR RAIKES: I'm speechless. Thank you. Any other proponents, LB 690?

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AMBER HAUGLAND: Hi. My name is Amber Haugland, and I'm a senior at the University of Nebraska; last name H-a-u-g-l-a-n-d. And I just felt it was very important for you all to put a face with this bill, to see the evidence of career education in action. So behind me, six rows, sit eight individuals who are seniors majoring in agricultural education currently, who have come from career education. So they're the products of this, and they're planning to return to career education, as well. So it's pretty neat to see the investment, but also the return they're going to be making in the future years. Now, traditionally viewed as less academically challenging, I discovered that career education, and specifically ag education, was the only area that really, truly did challenge me. Now when I think about subjects such as math and science and English, you know I was challenged by the algebraic equations, the literature reports, various things like that, the periodic table of elements. But agricultural education and career education were the only areas that pushed me to take my curriculum and actually apply it. So there was a gap that had been missing before in education, but really, career education forced me to go beyond that. So not only did I learn the classroom skills, but then it pushed me to that hands-on application, and that's the neat part about career education. Now, this classroom taught me agribusiness skills, such as sales and service, and it pushed me to an application of forming my own business, such as a seed sales person. I took ag communication courses which forced me to apply that in a hands-on setting, so I became a professional auctioneer. I learned agriscience concepts, such as photosynthesis, reproduction, health and diseases, nutrition science, and I had to apply those in experiments and in projects. This is what agricultural education does for our students, and it is the value of career education. Now, clearly, you can see that value of this education, and it does provide quite a return on the investment, but as of lately, it has been challenged, especially on the national level. You heard a speaker prior, talk about the No Child Left Behind Act, and we've seen funding being cut short of what we really do need on the local level. Now, that's why we need your help. As we look at LB 690, this is where you can really step up and play a part in this role, or in this factor. We need your help. We need your help in terms of technology, providing adequate resources to ensure student learning; we need it to create curriculum that our students can really gain from; we

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need to provide the resources that are going to provide optimum learning situations for students. And we also need it for professional development. These future teachers back here, they need the resources in order to grow in their development as a teacher so that they can, in turn, help students become the best that they can be. And that's why we're all here, is to help students enrich their lives to become better than they would have been before. That's the goal of education. Now, on behalf of these products of career education, on behalf of them, I urge you to pass this bill, LB 690. Keep the challenge going; challenge our students because they're really all that we have. Thank you very much.

SENATOR RAIKES: Thank you, Amber. Senator Schrock has a question.

SENATOR SCHROCK: Do you sell Roundup Ready Bt stack corn?

AMBER HAUGLAND: I'm sorry.

SENATOR SCHROCK: Do you sell Roundup Ready Bt stack corn?

AMBER HAUGLAND: You know, I'm actually from North Dakota, so I sold seed back there, but we did sell Roundup Ready soybeans, so back home we did.

SENATOR SCHROCK: What brand of seed do you sell?

AMBER HAUGLAND: Interstate Seeds.

SENATOR SCHROCK: And what kind of things do you sell as an auctioneer?

SENATOR RAIKES: Do you want to know how much a bag it is, Ed? (Laughter)

AMBER HAUGLAND: Really, we can talk on this later. (Laugh)
I'm sorry.

SENATOR RAIKES: Go ahead.

SENATOR SCHROCK: Up there you've got to grow Group 1 beans, don't you, or even Group 0 beans?

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AMBER HAUGLAND: Group 0 and 1. Um-hum.

SENATOR SCHROCK: What kind of auctioneering do you do?

AMBER HAUGLAND: We do farm sales, household sales, estates, antiques, pretty much anything.

SENATOR SCHROCK: All right. Sounds good.

SENATOR RAIKES: Okay. Anything else?

SENATOR SCHROCK: Do you know who Leroy Van Dyke is?

AMBER HAUGLAND: Oh, I love his songs.

SENATOR SCHROCK: All right.

AMBER HAUGLAND: Thank you for your time.

SENATOR RAIKES: Thank you. Thank you for being here. Are there other proponents? It's too bad you didn't get any help making this case, Senator Stuhr, I mean... (Laughter) We do have another proponent.

JESSICA HERMANSEN: Good afternoon. My name is Jessica Hermansen, and I am also a junior at the University of Nebraska-Lincoln, majoring in agriculture education. And just to expand on Ms. Haugland's speech there, I just wanted to hit on a few more points that the current technical education does bring to the students of the future. What it does for the students, it provides the leadership aspect of career and technical education. They learn great leadership skills as to how to, public speaking; they learn parliamentary procedure, and they actually compete in these contests on a state and national level. And I just feel without the career and technical education aspect, they would not be able to experience these things. And as most of you know, there has been great leaders come out of the career and technical education programs. Just one example: Senator Erdman. He came out, he was of the career and technical education program; he was a state officer for the FFA, and now he's here as a senator. Another point I would like to make with the career field, I feel that the continuing increase in numbers of the agricultural education students in Nebraska, and nationally, I feel we would be

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putting our students at a great disadvantage if we did not have the proper funding for career and technical education. And as Mr. Schellpeper said, we need the up-to-date equipment; we need the technology inside the classroom to give these students the opportunity to learn these skills, and such things like that. So I would just encourage your vote for this bill, LB 690.

SENATOR RAIKES: Okay. Thank you. I guess I should ask, when you talked about Senator Erdman moving from an FFA officer to here, were you considering that a move up or a move down? (Laughter)

JESSICA HERMANSEN: That's only to be judged in your eyes, I guess; I see it as a move up. (Laugh)

SENATOR RAIKES: Thank you very much.

SENATOR BYARS: Right answer. (Laugh)

JESSICA HERMANSEN: Thank you.

SENATOR RAIKES: Any other proponents, LB 690? Okay, we'll move to opponents, LB 690? Neutral testimony? Senator Stuhr to close.

SENATOR STUHR: Thank you, Senator Raikes. And first of all, I want to thank everyone who came forth and testified; I think they said it better than I could say it. Career education is lifelong skills for living and for learning. And I think that the people that did come forth represented teachers, administrators, students, and were sharing with you the importance of this bill and the relevance, and that we are seeing a change. And I think that Rich Katt pointed that out, as far as a new model for the twenty-first century that includes, not only technical skills, but academic. We need the academic; we've always said that, but also the technical skills to prepare our people for the twenty-first century.

SENATOR RAIKES: Okay. Thank you, Senator. Questions? Senator Schrock has one.

SENATOR SCHROCK: Would a unified district, two schools within a unified district, count as a multiple site?

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SENATOR STUHR: I don't know, Senator Schrock.

SENATOR SCHROCK: We could clarify that if this bill goes somewhere.

SENATOR STUHR: Yes.

SENATOR SCHROCK: All right.

SENATOR STUHR: Yes, we certainly could clarify that. The idea is partnerships and having at least two schools going together.

SENATOR RAIKES: Okay. Thank you, Senator. That will close the hearing on LB 690. We'll move to LB 380 and Senator Redfield. Senator, welcome. Thank you for your patience.

LB 380

SENATOR REDFIELD: Senator Raikes, members of the committee, for the record my name is Pam Redfield, R-e-d-f-i-e-l-d. I am the state senator from District 12, and I am here on behalf of the Nebraska Association of School Boards to introduce to you today LB 380. I'm sure that they would like about \$300 million, but what they're asking for here in this bill actually is some flexibility in the provision of a bond. Currently, under our state law, we require that the treasurer for the school district have a bond that is sometimes a duplication of insurance that the school districts carry, and they could save about \$1,000 if you would give them the flexibility to recognize that that insurance is adequate coverage, and lifted that requirement. Now, you'll notice that within the body of the bill we had to say it over and over, it's because this committee has left a few classes of school districts, and so we have said it for each of the classes listed here. If there are any questions, I'd be happy to address them.

SENATOR RAIKES: Thank you for the help that you passed by there. Questions for Senator Redfield? Would you describe this as an oversight? I assume, in other places, bonding requirements in local government units have been replaced by insurance, is that the case?

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SENATOR REDFIELD: I would say that's probably true.

SENATOR RAIKES: Okay. Senator Kopplin.

SENATOR KOPPLIN: I think this all probably goes back to when the treasurers actually handled money. Do you know of any of these classes of schools, whether the school treasurer actually ever handles any money anymore, or is it all just he acknowledges, through paperwork, what was done?

SENATOR REDFIELD: Well, actually, they could if they were an employee of the district, actually be handling some funds for activity funds, per se. But generally, if it's a school board member, they're just going to be signing those checks.

SENATOR RAIKES: Okay. Thank you very much, Senator. We'll move to proponents, LB 380?

PAT RYAN: Senator Raikes and members of the Education Committee, my name is Pat Ryan, R-y-a-n. I am the managing partner of Public Risk Management. We are the insurance broker for ALICAP, which is a school pool that provides property and casualty and workers compensation coverage to about 160 school districts in the state. I'm here to support LB 380 because many of our member districts have employees serving as treasurer of the board, and under our program they have a quarter of a million dollars worth of coverage for employee dishonesty, that also includes a faithful performance of duty, which is required by the law, and yet they are currently required to also purchase a bond that gives them duplicate coverage. This bond could range from a couple hundred dollars to several thousand dollars, depending on the size of the district and the amount of money that passes through, and that is currently money that is just being wasted. LB 380 will allow the stop of the wasting of this tax money, and its tens of thousands of dollars just in the districts we deal with.

SENATOR RAIKES: Okay. Thank you. Questions, Pat? Thanks for being here; appreciate it.

BARRY BALLOU: Good afternoon. My name is Barry Ballou, B-a-l-l-o-u, and I am an assistant superintendent for business at Hastings Public Schools, and also the

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secretary/treasurer of the district. Been there a long time, 21 years, and all those years we had to purchase a bond for the treasurer's position, and so I'm one of those positions where I do handle the dollars, actually, because I'm an employee of the district. And we are a member of ALICAP, we're a member of the pool. I'm president of the ALICAP pool. And I believe it's duplicate coverage that we're talking about here; we are covered in the insurance policy. So taking the language and changing it to where it's not required to purchase the bond but just to show that we have adequate insurance coverage, I think would save about a thousand dollars a year. This year our cost was \$950 for a bond, but we already have the coverage in the insurance policy. So I would be in support of this change in the law, or LB 380.

SENATOR RAIKES: Thank you, Barry. Questions? Is there any question as to what evidence of equivalent insurance might be?

BARRY BALLOU: I think it's \$250,000, isn't it?

SENATOR RAIKES: But it wouldn't be hard to, I mean there wouldn't be any ambiguity in that phrase--evidence of equivalent insurance coverage.

BARRY BALLOU: Not as far as the pool is concerned, because it comes with the...it's in the policy.

SENATOR RAIKES: Okay.

BARRY BALLOU: Defined in the policy for all the employees. In fact, all the employees in the district have \$250,000 worth of coverage the way it's written.

SENATOR RAIKES: Okay.

BARRY BALLOU: Not just specifically the secretary/treasurer, so. It would be pretty clear.

SENATOR RAIKES: Okay. Thank you, Barry.

BARRY BALLOU: Thank you, Senator.

SENATOR RAIKES: Craig, welcome.

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CRAIG PEASE: My name is Craig Pease, P-e-a-s-e, I'm superintendent of the Ashland-Greenwood Schools, and also a member of the board of trustees for ALICAP. I would like to, on behalf of ALICAP and the Ashland-Greenwood Schools, urge you to do whatever you can to try to get this clarification of the law through our Legislature this session. I guess I regard it as, I'm just here trying to save \$321 for our school district and a couple hours of paperwork. I've never quite understand the current bonding requirements within the law. We have to provide a bond for the county treasurer. We've never had to provide a bond for state payments. And I guess I also have concern with the duplicate requirements of having our employees insured, as well as having a bond. So I would like to encourage you to try to move this forward. I think it's, as my kids would say, a slam-dunk, and so perhaps you can find a method to get this passed yet this session.

SENATOR RAIKES: We'll sure look.

CRAIG PEASE: All righty.

SENATOR RAIKES: Thank you. Questions for Craig? Thanks for being here, Craig. Other proponents, LB 380? Are there opponents to LB 380? Neutral testimony? Senator Redfield to close. She waives closing, so that will conclude our hearing on LB 380. We'll move to LB 583, and welcome, Senator Dwite Pedersen.

LB 583

SENATOR DW. PEDERSEN: Thank you, Senator Raikes, members of the Education Committee. This is one of the most important bills that you're going to hear this session.

SENATOR RAIKES: Is that your opening line on every...?

SENATOR DW. PEDERSEN: That's my opening line on every bill I introduce.

SENATOR RAIKES: I see.

SENATOR DW. PEDERSEN: Good afternoon. For the record, I'm

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LB 583

Senator Dwite Pedersen. I'm here representing the 39th District, and introducing to you LB 583. This bill was a result of an idea that was brought to me by the attention of one of my constituents after the problems we had last year with the extraordinary number of extra snow days in the year. As I understand the problem, a certain number of snow days are built into most school calendars. If the weather or mechanical difficulties or other emergency situations occur, schools may be forced to go longer into the summer, or in the alternative, take additional required days from regularly scheduled school breaks. This change in the regularly scheduled calendar can cause problems with persons who have planned vacations, family weddings, or other events around the school calendar. This bill would simply allow the school board or district board of education to reduce the school term, up to 30 additional instructional hours, if such emergency conditions were approved by the board. I urge you to give this idea every consideration, and thank you for your time.

SENATOR RAIKES: Thank you.

SENATOR Dw. PEDERSEN: If there are any questions, I'd try and answer them.

SENATOR RAIKES: Thank you, Senator. Are there questions? Senator Stuhr has some, one.

SENATOR STUHR: Well, Senator Pedersen, we've just been hearing today about how we need more hours in the school day.

SENATOR Dw. PEDERSEN: You need more what?

SENATOR STUHR: More hours, more hours of instruction in some of our previous bills. I'm just sharing that with you.

SENATOR Dw. PEDERSEN: We can't get them educated with the hours we have now. This would be strictly under emergencies. There's all kinds, whether you have a staff death, a small town, it could be a death situation, it could be the furnace blew up, it could be a vandalism that tied the school up, and it just gives the school board a little bit of leeway to move into that; that's all it does.

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LB 583

SENATOR RAIKES: Senator Howard.

SENATOR HOWARD: Thank you, sir. How many hours are built into the school calendar, right now, for fluctuation? I know there are; there's a number.

SENATOR Dw. PEDERSEN: I'm not sure, Senator Howard, but I think that's on an individual school board basis. I don't think it's anything that's done statewide, unless I'm wrong. I think this...

SENATOR RAIKES: Well, the bill...the summary says at least 1,032 for elementary and 1,080 for high school.

SENATOR Dw. PEDERSEN: Okay. And then the school board does that then. But they have some leeway in that.

SENATOR RAIKES: I think it says, at least. So the only leeway is up.

SENATOR Dw. PEDERSEN: Okay.

SENATOR HOWARD: Thank you.

SENATOR RAIKES: Thank you, Senator.

SENATOR Dw. PEDERSEN: You're welcome.

SENATOR RAIKES: Proponents for LB 583? Bus must have had a flat tire; they're late. Opponents, LB 583? Neutral testimony?

SENATOR Dw. PEDERSEN: I'm going home. Thanks.

SENATOR RAIKES: Okay. I believe the Senator just waived closing. So that will conclude the hearing on LB 583 and our hearings for this afternoon. Thank you very much.